

Notice of Allowability

Application No.

10/772,562

Examiner

Christopher Bottorff

Applicant(s)

PADDOCK, TIMOTHY

Art Unit

3618

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to an amendment filed April 7, 2006.
2. ☒ The allowed claim(s) is/are 15-27.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☒ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Christopher Bottorff

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a statement on page 13 of the amendment filed April 7, 2006.

The application has been amended as follows:

In the Claims:

Replace claim 15 with the amended claim 15 as follows (note: the following amended claim 15 corresponds to claim 15 as presented in the amendment filed April 7, 2006, with minor grammatical corrections):

Claim 15. An all-terrain board comprising:

an elongate deck structure having an upper surface, a lower surface, a front end, a central portion and an upturned rear end defining a kicktail;

front and rear wheels respectively mounted at said front and rear ends of the deck structure for rotation about respective wheel axes extending transverse the deck structure, each wheel having a radius;

a front and rear axle assembly pivotally mounted above the plane of the central portion of the deck structure, at least one wheel being mounted on each axle assembly,

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wherein each axle assembly is pivotable against a resilient bias provided by an elastomeric member; and

an elongate strengthening member extending axially of the longitudinal axis of the elongate deck structure, said strengthening member being fitted to the deck structure above the lower surface of said deck structure and extending rearwardly along the deck structure from a point in front of the rear wheel axis to a point on said kicktail, wherein said central portion of the deck structure is disposed between said wheel axes and extends below the level of a plane defined by said wheel axes, to provide a front position for one of the rider's feet on said central portion, said kicktail extending upwardly and rearwardly within said rear wheel radius to a position disposed outwardly thereof, to provide a substantially supported rear position for the rider's other foot behind said rear wheel which position is substantially above the plane defined by said central portion of the deck structure.

Replace claim 20 with the amended claim 20 as follows (note: the following amended claim 20 corresponds to claim 20 as presented in the amendment filed April 7, 2006 with minor corrections to prevent claim 20 from being a redundant recitation of amended claim 15):

Claim 20. An all-terrain board as claimed in claim 19, in which each axle is pivotable against an adjustable resilient bias.

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In the Specification:

In paragraph [00031], after "Figure 5 is a side view of the board of Figure 1;" insert "Figure 5a is a side view of an embodiment of an all terrain board showing a front end similar to the rear end;"

(Note: this amendment to the specification corresponds to paragraph (00031) as presented on page 17 of the amendment filed April 7, 2006).

In the Drawings:

Add Figure 5a, which is attached to this amendment.

(Note: this Figure 5a corresponds to Figure 5a as presented in the amendment filed April 7, 2006. Figure 5b of the amendment filed April 7, 2006, and references thereto in the specification, present impermissible new matter that cannot be entered. The above amendments correspond substantially to the amendment filed April 7, 2006 with minor corrections to the claims, the omission of Figure 5b, and the omission of reference to Figure 5b in paragraph (00031) of the specification.)

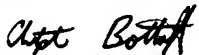
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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher Bottorff whose telephone number is (571) 272-6692. The examiner can normally be reached on Mon.-Fri. 7:30 a.m. - 4:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Ellis can be reached on (571) 272-6914. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Christopher Bottorff

New Drawing (1)

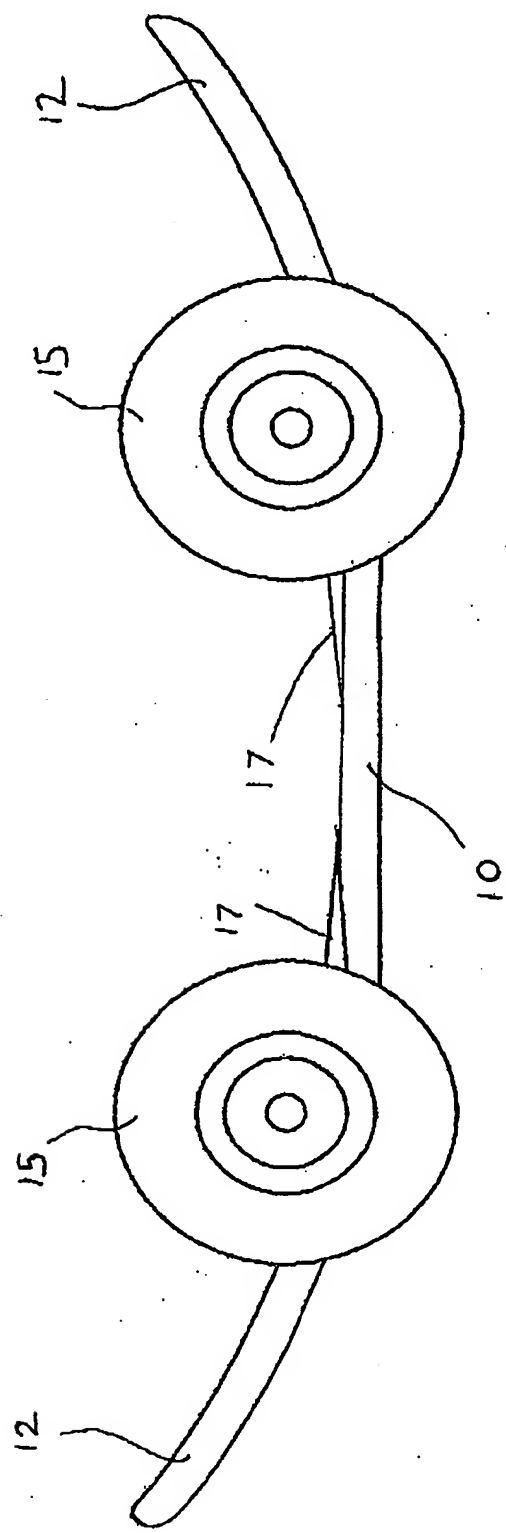


Fig. 5a